

**Remarks/Arguments**

**A. Pending Claims**

Claims 1-3, 5, 10, 14-16, 18, 23, 27-29, 31, 36, and 40-48 are pending. Claims 1, 14, and 27 have been amended.

**B. The Claims Are Not Obvious Over Perlman et al. Pursuant to 35 U.S.C. § 103(a)**

The Examiner rejected claims 1-48 under 35 USC §103(a) as obvious over U.S. Patent No. 5,742,820 to Perlman et al. (hereinafter “Perlman”). Applicant respectfully disagrees with these rejections.

To reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner*, 154 U.S.P.Q. 173, 177-78 (C.C.P.A. 1967). To establish a *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974); MPEP § 2143.03.

In addition, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Amended claim 1 recites: “obtaining a database comprising processing parameter values used in processing financial transactions, wherein each processing parameter is associated with a predetermined financial transaction.” Perlman does not appear to teach or suggest at least these features of claim 1, in combination with the other features of the claim.

The Office Action asserts that Perlman shows “storing the entered key value 502 in a first memory 204, thus obtaining a database with processed parameter values capable of being used in financial transactions.” Applicant respectfully submits that, even if the system disclosed in Perlman were “capable of being used in financial transactions”, Perlman does not teach or

suggest obtaining a database comprising processing parameter values used in processing financial transactions, each processing parameter associated with a predetermined financial transaction, as described in claim 1. Applicant submits that the step of obtaining a database comprising processing parameters values, each processing parameter associated with a predetermined financial transaction, is a manipulative difference over the prior art, and not merely an intended use of the claimed method.

Amended claim 1 also recites: “entering a key value in a first field of a template displayed on a display screen of a monitor coupled to an FSO computer system” and “entering a database identifier in a second field of the template displayed on the display screen.” Perlman does not appear to teach or suggest at least these features of claim 1, in combination with the other features of the claim.

The Office Action states:

Pearlman shows a method of entering a key value in a first field of a template displayed on a monitor coupled to a computer system (CPU 202, which inherently includes a monitor, thus displayed, and keyboard in order to function and software, thus a form of a template, to enter data via keystrokes), entering a database identifier 510 in a second field of the template (figure 3 and 5-7)....

The Office Action apparently takes the position that some features of claim 1 are inherent to Perlman. “In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.” *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original.) Inherency may not be established by probabilities or possibilities; the mere fact that a certain thing may result from a given set of circumstances is not sufficient. *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999). Perlman states:

FIG. 2 is a block diagram of a network system 200 comprising a collection of computer networks connected to a plurality of nodes. The nodes are typically general-purpose computers comprising source nodes S1-S6, destination node D

and intermediate nodes R1-R6. Each node typically comprises a central processing unit (CPU) 202, a memory unit 204 and at least one network adapter 206 interconnected by a system bus 210. The memory unit 204 may comprise storage locations typically composed of random access memory (RAM) devices, which are addressable by the CPU 202 and network adapter 206. An operating system, portions of which are typically resident in memory and executed by CPU, functionally organizes the node by, inter alia, invoking network operations in support of processes executing in the CPU.

(Perlman, column 5, line 39-53)

Perlman discloses nodes that are typically “general-purpose computers.” Each node typically comprises a CPU, memory unit, and network adapter. The Office Action appears to take the position that the nodes disclosed by Perlman inherently include a monitor, keyboard, and software, and that the software is “a form of a template.” Applicant disagrees with the Office Action’s position. In any case, the features of claim 1 of “entering a key value in a first field of a template displayed on a display screen of a monitor coupled to an FSO computer system” and “entering a database identifier in a second field of the template displayed on the display screen” do not appear to be inherent to the teachings of Perlman. Applicant respectfully requests that the Examiner provide a basis in fact and/or technical reasoning to reasonably support a determination that the above-quoted features of claim 1 are inherent to the teachings of Perlman.

Amended claim 1 also recites: “wherein the database identifier entered in the second field of the template comprises a database location of processing parameters used to process the financial transaction identified by the key value entered in the first field.” Perlman does not appear to teach or suggest at least this feature of claim 1, in combination with the other features of the claim.

Perlman appears to disclose a method of synchronizing information between databases. For example, Perlman states:

The invention comprises a mechanism for efficiently synchronizing the contents of databases stored on nodes of a computer network to ensure that those contents are consistent. Generally, the mechanism comprises a database identifier generated by a node of the computer network and distributed to other receiving nodes coupled to the network. The database identifier is uniquely representative of

the contents of the distributing node's database and the receiving nodes compare this unique identifier with their own generated database identifiers to determine if the identifiers, and thus their databases, are consistent and synchronized.  
(Perlman, col. 3, line 61 - col. 4, line 4)

The Office Action asserts that Perlman teaches:

using large packets of data with identifiers to create data relationships to improve resources of the computer system that included a database location of processing parameters (col. 3, lines 50-59...).

The portions of Perlman cited in the Office Action for this teaching state:

However, transmission of these additional smaller packets over the LANs consumes significant bandwidth, while processing of the [sic] additional individual packets consumes substantial amounts of computational resources in the routers.

Therefore, it is among the objects of the present invention to reduce the bandwidth consumed by transmission of database summary information packets over a computer network.

Another object of the present invention is to minimize computational resources within routers needed to process received database summary information packets.  
(Perlman, column 3, lines 48-59)

The portions of Perlman cited in the Office Action appear to teach transmitting database summary information packets over a network to reduce bandwidth consumption. Neither the above-cited portions of Perlman, nor other portions of Perlman, appear to teach or suggest a database identifier in a second field of a template, the database identifier comprising a database location of processing parameters used to process a financial transaction identified by a key value entered in a first field of a template. Applicant respectfully requests that the Examiner particularly indicate where Perlman teaches these features.

Applicant further submits that the "database identifiers" described in Perlman do not comprise "a database location of processing parameters" as recited in claim 1.

Perlman states:

In the illustrative embodiment described herein, the identifier is uniquely representative of a complete sequence numbers packet (CSNP) pertaining to the contents of a link state packet (LSP) database of the distributing node, e.g., a designated router. Specifically, the designated router generates the database identifier from the entire CSNP and periodically broadcasts that identifier, rather than the CSNP itself, to the receiving nodes, i.e., routers, on the network, such as a local area network (LAN). The database identifier is preferably generated from a cryptographic message digest algorithm configured to transform the contents of the CSNP into a unique, fixed-length digest "signature" whose contents are substantially less than those of the CSNP; accordingly, transmission of the database identifier in lieu of the CSNP optimizes both the use of computational resources within the receiving routers and bandwidth on the LAN.

Upon receiving the database identifier [*sic*], the routers process that identifier to determine whether any discrepancies arise and if so, those routers may request copies of the entire CSNP. That is, each receiving router initially calculates an identifier based on the contents of its LSP database and then compares the calculated identifier with the database identifier received from the designated router. A receiving router whose calculated database identifier conforms to the received database identifier need only store that latter identifier of the CSNP. If the calculated identifier is different, the receiving router may request the CSNP to resolve any differences in its database. Significantly, the designated router transmits the actual CSNP only in response to a change in the database or a request from another router.

(Perlman, col. 4, lines 5-47)

Perlman discloses an identifier that is uniquely representative of a complete sequence numbers packet (CSNP) pertaining to the contents of a database of a distributing node. The distributing node generates the database identifier from an entire CSNP and periodically broadcasts that identifier to receiving nodes. The database identifiers thus appear to represent the state of a database at a specific time. The identifiers appear to be a "signature" that may be used to identify whether databases at a distributing node and receiving nodes are synchronized. The Office Action states: "in order for the invention of Pearlman to operate a key value 502 is inputted that identifies with the database identifier 510 which would be part of the location of processed parameters such as sequence numbers [*sic*] 302." Applicant notes that Perlman refers to item 302 as a "source field" or "source", rather than a "sequence number." (See Perlman, column 6, line 21; FIG. 3). In any case, even if source field 302 could be characterized as a "database location of processing parameters" as recited in claim 1, Perlman does not appear to teach or

suggest that source field 302 is part of database identifier 510. Applicant submits that the “database identifiers” described in Perlman do not comprise “a database location of processing parameters.”

Moreover, Applicant respectfully submits that the Office Action has not stated a *prima facie* case of obviousness for modifying Perlman to include the features of claim 1. The Office Action states:

Pearlman does not show this system in use with an FSO; however, the broad system architecture of the Pearlman would be capable of the of the specific use in FSO transactions since Pearlman teaches using large packets of data with identifiers to create data relationships to improve resources of the computer system that included a database location of processing parameters.... Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Pearlman to include use with an FSO system since this modification amounts to a recitation of the intended use of the claimed invention and does not result in a manipulative difference as compared to the prior art thus it meets the claim.

Applicant respectfully disagrees with the Office Action’s assertions. Applicant submits that “entering a key value in a first field of a template displayed on a display screen of a monitor coupled to an FSO computer system” and “storing the entered key value and the database identifier in a first memory coupled to the FSO computer system” are not merely recitations of the intended use and do result in a manipulative differences compared to the prior art. “All words in a claim must be considered in judging the patentability of a claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). In any case, there does not appear to be any reason to modify Perlman to include these features, in combination with the other features of claim 1. The showing of a suggestion, teaching, or motivation to combine prior teachings “must be clear and particular . . . . Broad conclusory statements regarding the teaching of multiple references, standing alone, are not ‘evidence’.” *In re Dembiczak*, 175 F.3d 994, 50 U.S.P.Q.2d 1614 (Fed. Cir. 1999). The art must fairly teach or suggest to one to make the specific combination or modification as claimed. Applicant respectfully submits that “since this modification amounts to a recitation of the intended use of

the claimed invention and does not result in a manipulative difference as compared to the prior art thus it meets the claim” does not provide a motivation to modify Perlman to couple an FSO system to a monitor or a first memory as recited in claim 1, or to modify Perlman include the several other features of claim 1 quoted above.

Applicant submits that, for at least the reasons provided above, claim 1 and the claims depending from claim 1 are patentable over Perlman. Applicant therefore respectfully requests the removal of the 35 U.S.C. §103(a) rejections of these claims.

Amended claim 14 states:

14. A carrier medium comprising program instructions, wherein the program instructions are executable by a computer system to implement a method of configuring a dynamic database packageset switching program, the method comprising:

obtaining a database comprising processing parameter values used in processing financial transactions, wherein each processing parameter is associated with a predetermined financial transaction;

entering a key value in a first field of a template displayed on a display screen of a monitor coupled to an FSO computer system, wherein the key value identifies information needed to process a financial transaction;

entering a database identifier in a second field of the template displayed on the display screen, wherein the database identifier entered in the second field of the template comprises a database location of processing parameters used to process the financial transaction identified by the key value entered in the first field; and

storing the entered key value and the database identifier in a first memory coupled to the FSO computer system.

Applicant submits that, for at least the same reasons cited above with respect to claim 1, claim 14 and the claims dependent from claim 14 are patentable over Perlman.

Amended claim 27 states:

27. (Currently amended): A system comprising:  
a computer program;

an FSO computer system;

a database, wherein the database comprises processing parameter values used in processing financial transactions, wherein each processing parameter is associated with a predetermined financial transaction;

wherein the computer program is executable on the FSO computer system to execute:

entering a key value in a first field of a template displayed on a display screen of a monitor coupled to the FSO computer system, wherein the key value identifies information needed to process a financial transaction;

entering a database identifier in a second field of the template displayed on the display screen, wherein the database identifier entered in the second field of the template comprises a database location of processing parameters used to process the financial transaction identified by the key value entered in the first field; and

storing the entered key value and the database identifier in a first memory coupled to the FSO computer system.

Applicant submits that, for at least the same reasons cited above with respect to claim 1, claim 27 and the claims dependent from claim 27 are patentable over Perlman.

Moreover, Applicant submits that many of the claims dependent on claims 1, 14, and 27 are independently patentable. For example, claim 3 describes a combination of features including: “displaying one or more data elements on the display screen; selecting one or more data elements from the displayed one or more data elements, wherein the selected data elements correspond to the key fields in the key definition.” The cited art does not appear to teach or suggest at least these features of claim 3, in combination with the other features of the claim.

Claim 10 describes a combination of features including: “wherein a portion of the one or more data elements comprise data from a financial transaction.” The cited art does not appear to teach or suggest at least these features of claim 10, in combination with the other features of the claim.



Claim 41 describes a combination of features including: “wherein the dynamic database packageset switching program is configured during installation of a financial service organization system.” The cited art does not appear to teach or suggest at least these features of claim 41, in combination with the other features of the claim.

Claim 42 describes a combination of features including: “wherein the dynamic database packageset switching program is further configured after installation of a financial service organization system.” The cited art does not appear to teach or suggest at least these features of claim 42, in combination with the other features of the claim.

**C. Additional Remarks**

Applicant submits that the claims are in condition for allowance. Favorable reconsideration is respectfully requested.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel Deposit Account No. 50-1505/5053-31101/EBM.

Respectfully submitted,



Mark R. DeLuca  
Reg. No. 44,649

Patent Agent for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: 11/12/04